

August 12, 2003  
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**-- REMARKS --**

Claims 1-25 remain under consideration. Claims 18-20 are allowed. The allowability of claims 3-17, 23, and 24 is noted.

**CLAIM OBJECTIONS**

The objection in paragraph 1 of the Office Action to claim 10, and claim 11 depending from claim 10, has been obviated by amending claim 10 as indicated above.

Claims 3, 4, 23, and 24 have been amended from dependent to independent form, including all limitations of the base claims from which they directly depend, thereby placing these claims and claims 5-17 depending from claim 4 in condition for allowance, in accordance with paragraph 4 of the Office Action.

**CLAIM REJECTIONS UNDER 35 USC § 102(b)**

The rejection of claims 1, 2, 21, 22 and 25 as being anticipated by Mizutani, et al, US Patent number 5,709,032, is traversed.

Claim 1, and claim 2 depending therefrom, requires a brake apparatus comprising brake means including a drive motor having a shaft that is rotatable about an axis for actuation of the brake means, and jaw-tooth clutch means for selectively locking the shaft against rotation about the axis.

Mizutani does not disclose *jaw-tooth clutch means for selectively locking a shaft against rotation about an axis*, and cannot therefore anticipate either claim 1 or claim 2 depending therefrom.

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The male and female clutch members 53, 55 of the clutch 50 of Mizutani, when engaged, do not lock the shaft 51 against rotation. See, Mizutani, Col 6, lines 45-58; column 5, lines 46-65. The male clutch member 53 is normally urged toward the female clutch member 55 by a coil spring 57, such that teeth 53a and 55a are engaged with each other. *Id* at lines 51-53. When the teeth 53a, 55a are engaged with each other, drive force and rotation of the shaft 51 is transmitted through the clutch 50 to rotate the brake drum 21. *Id* at 55-58. When the chain brake actuates and tightens the brake band 23 on the brake drum 21, the brake drum 21 and attached female clutch member 55 are stopped from rotation, thereby causing the male clutch member 53 to disengage from the female clutch member 55, and move axially against the force of the spring 57, such that the shaft 51 and attached jawed male clutch member 53 can continue to rotate about the axis. *Id* at 53-55; and column 5, lines 64-65. It is clearly and expressly disclosed, therefore, that the clutch 50 of Mizutani does not include *jaw-tooth clutch means for selectively locking a shaft against rotation about an axis*.

Claim 2 further requires, *inter alia*, that in a brake apparatus of claim 1, the jaw-tooth clutch means include a rotating jaw operatively attached to the shaft for rotation about the axis, and a *translating jaw operatively connected to the housing for non-rotatable translation along the axis and into engagement with the rotating jaw*, the rotating and translating jaws each having axially directed mating teeth affixed on mating surfaces of the jaws, the jaw-tooth clutch thereby locking the shaft against rotation about the axis.

As is clearly evident from the discussion above, neither the male nor the female clutch members 53, 55, are connected to a housing for non-rotatable translation along an axis into and out of engagement with a rotating jaw. Both the male and female clutch members 53, 55 of Mizutani are rotatable, regardless of whether, or not, they are mated with one another. Because Mizutani does not disclose all of the limitations of either claim 2, or claim 1 from which claim 2 depends, Mizutani cannot anticipate claim 2.

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Claim 21, and claims 22 and 25 depending therefrom, all require a method for operating a brake apparatus by, *inter alia*, operatively connecting a translating jaw of a jaw-tooth clutch to a housing for non-rotatable translation along an axis and into engagement with a rotating jaw, and moving the translating jaw into engagement with the rotating jaw for, locking the shaft against rotation about the axis.

As discussed above with regard to traversal of the rejection of claims 1 and 2, Mizutani does not disclose these limitations, and cannot therefore anticipate claim 21 or claims 22 and 25 depending therefrom.

Claim 22 requires that the method of claim 21 further include moving the translating jaw into engagement with the rotating jaw for, locking the shaft against rotation about the axis. As discussed above, the jawed male and female clutch elements 53, 55 of Mizutani never lock a shaft against rotation, and cannot therefore anticipate claim 2.

Claim 25 requires that the method of claim 21 further include removing power from the drive motor after moving the translating jaw into engagement with the rotating jaw of the jaw-tooth clutch. Mizutani does not disclose this limitation, and cannot therefore anticipate claim 25.

#### SUMMARY

Applicants believe that the application is in condition for allowance. Reconsideration and notification of allowance are respectfully requested.

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PROCEDURAL MATTERS AND FEES

By this amendment the Applicants have amended four formerly dependent claims to independent form, occasioning additional fees for amending the four originally filed dependent claims to independent form. The Commissioner is authorized to charge the fees required for amending four dependent claims to independent form to deposit account number 50-1713. The Applicants believe that no other fees are occasioned by the submittal of this paper. The commissioner is authorized, however, to charge any fees or credit any refunds occasioned by submittal of this paper to deposit account number 50-1713.

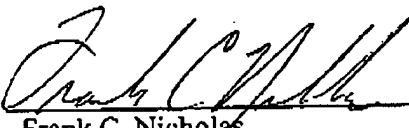
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Respectfully submitted,  
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